

UNITED STATES BANKRUPTCY COURT
Southern District of Georgia
Augusta Division

In re: Keith Robert Hilliker &
Nancy Ingandello Hilliker,
Debtors.

Case: 18-11252

Chapter: 13

Judge Susan D. Barrett

AFFIDAVIT OF KEITH ROBERT HILLIKER AND NANCY INGANDELLO HILLIKER

Keith Robert Hilliker and Nancy Ingandello Hilliker, duly sworn and under oath, state as follows:

1. We are the debtors in the above-captioned Chapter 13 Bankruptcy case.
2. We commenced this case on August 31, 2018, by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code.
3. In our Chapter 13 Plan, we proposed to cure the pre-petition arrearage on our mortgage loan, and resume post-petition payments by making them direct to our mortgage company.
4. On November 21, 2018, our Chapter 13 Plan was confirmed.
5. We fell behind on our mortgage payments after the filing of our case. As a result, our mortgage company filed a motion for relief from stay.
6. At the hearing on the motion for relief from stay on August 8, 2019, we entered into a cure order with our mortgage company to prevent relief from being granted and resume our post-petition mortgage payments.
7. On December 11, 2019, our mortgage company filed an affidavit of default, alleging a total delinquency of \$9,876.87.
8. Since the order on the motion for relief was entered in September 2019, we have attempted to make all of our mortgage payments and attempted to make all of the cure payments on time; however, our mortgage company has returned the funds for most of the payments we made.
9. We do not know why our mortgage company rejected some payments but accepted others.
10. But for our mortgage company's unwillingness to accept all of our mortgage payments and all of our cure payments, we would not be in default of the order on the motion for relief.

11. We hereby request a hearing on this matter.

This affidavit was signed on December 18th, 2019.



Keith Robert Hilliker

SWORN TO AND SUBSCRIBED BEFORE

THIS 18th DAY OF December



NOTARY PUBLIC





Nancy Ingandello Hilliker

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 26th DAY OF December 2019



NOTARY PUBLIC



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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing were served on December 26, 2019, by CM/ECF electronic notice, on the following:

Huon Le
Office of the Chapter 13 Trustee
notices@chp13aug.org

Freedom Mortgage Corporation
c/o Nathan Edward Huff
nhuff@cwhllp.com

Freedom Mortgage Corporation
c/o A. Michelle Hart-Ippoliti
bankruptcyecfmail@mccallaraymer.com

Freedom Mortgage Corporation
c/o Lisa F. Caplan
lcaplan@rubinlublin.com

Freedom Mortgage Corporation
c/o Heather D. Bock
heather.bock@mccalla.com

Respectfully submitted on December 26, 2019.

/s/ Matthew James Duncan
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